

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.
2018 MAY -7 PM 4:01

UNITED STATES OF AMERICA)

CLERK 
SO. DIST. OF GA.

vs.)

No. CR 417-090

MICHAEL BRIAN ANDERSON,)
)

CONSENT ORDER RESOLVING GOVERNMENT'S MOTION
FOR RESTRAINING ORDER TO PRESERVE ASSETS
FOR RESTITUTION

After a jury convicted defendant Michael Brian Anderson of nine counts involving mail fraud (18 U.S.C. §1341), false statements (18 U.S.C. §1001), and money laundering (18 U.S.C. §1957), the government filed a motion for a restraining order to preserve assets for restitution. [Doc 125] The parties, through counsel, have reached a resolution of that motion, which this consent order reflects. Accordingly, it is hereby ORDERED as follows:

1. This order does not address the amount of restitution, if any, to be awarded in this case, which will be finally determined at the sentencing hearing.
2. Through seizure warrants dated October 29, 2014, and December 23, 2014, the government has seized Edward Jones Investment Account #984-99203-1-0 in the name of Michael B. Anderson; Edward Jones Investment Account #984-16940-1-2 in the names of Michael Brian Anderson and Marilyn Marie Anderson; and Wells Fargo Advisors Account #2469-9267 in the name of Colony Bank Collateral Account, FBO Michael Brian Anderson and Marilyn Marie Anderson, JTROS. Anderson agrees to make no claim to any funds

contained in these seized accounts, and if necessary, to execute any and all documentation required to relinquish his claims to, or interest in, these seized accounts.

3. Anderson agrees to use his best efforts to facilitate a private sale of his current shrimp boat, in an amount and on terms mutually agreeable to the government. In the event that Anderson succeeds in this private sale, the government shall be entitled to 70% of the net proceeds of this sale, and Anderson shall retain 30% of the net proceeds. The check to the Government must be made payable to, "Clerk, U.S. District Court" and mailed to:

United States Clerk of Court
P.O. Box 8286, Savannah, Georgia 31412


The government agrees that it will not seek any net proceeds retained by Anderson pursuant to this provision to pay off any restitution, fine, or special assessment award imposed by the Court.

4. Anderson may use funds in 1) the Sun Trust account ending in 2528, in the name of Michael Brian Anderson and 2) the Sun Trust account ending in 2330 in the name of Shrimpy's, to pay for living expenses up to \$5,000 per month. In the event that Anderson's monthly living expenses exceed \$5,000 per month, Anderson shall inform the government of this fact and secure its permission before expending funds in excess of this \$5,000 monthly amount.
5. In the event that Anderson resumes his shrimping business, the parties shall submit to this Court a supplemental consent order addressing the handling of business income and expenses.

6. The Government agrees not to seek, seize, or otherwise obtain any funds, accounts, or property that at all times has been held solely in the name of Marilyn Marie Anderson. The government acknowledges that Marilyn Marie Anderson is independently employed and that that employment provides the source of funds in her individual accounts.

IT IS SO ORDERED

Dated, entered, and made effective this 7th day of May, 2018.


HON. JUDGE WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA